



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARVEY R. BIALK et al.

Serial No.: 09/851,285

Filed: May 8, 2001

For: METHOD AND SYSTEM FOR PROVIDING AN EFFICIENT
USE OF BROADBAND NETWORK RESOURCES

Attorney Docket No.: 2001-0148 (ATTB 0104 PUS)

Group Art Unit: 2623

Examiner: Saltarelli, Dominic D.

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31
AND PETITION FOR EXTENSION OF TIME
UNDER 37 C.F.R. § 1.136(a)**

Mail Stop AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
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Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated April 5, 2006 for the above-identified patent application.

Applicants hereby petition for a two month extension of time to respond to the Office Action dated April 5, 2006, thereby extending the time period within which to respond to September 5, 2006.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL)

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 5, 2006
Date of Deposit

James N. Kallis
Name of Person Signing

[Signature]
Signature

09/12/2006 AWONDAF1 00000058 09851285

01 FC:1401

500.00 OP

02 FC:1252

450.00 OP

A check in the amount of \$950 is enclosed to cover the appeal fee of \$500 as applicable under the provisions of 37 C.F.R. § 41.20(b)(1) and the petition fee of \$450 as applicable under the provisions of 37 C.F.R. § 1.17(a)(2). Please charge any additional fee or credit any overpayment in connection with this filing to our Deposit Account No. 02-3978.

Respectfully submitted,

HARVEY R. BIALK et al.

By: _____

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Date: September 5, 2006

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